

## CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date: 12-10-71

D. C. Form No. 106A Rev.

6

TITLE OF CASE		ATTORNEYS						
<p>STATE OF OKLAHOMA, ex rel Department of Highways of the State of Oklahoma</p> <p>vs</p> <p>Certain Parcels of land in Osage County, Oklahoma, containing 1.80 acres, more or less, Harold West, Sr., and Celestia Mae West, husband and wife; and the unknown heirs, executors, administrators trustees, legatees, devisees, creditors and assigns of Charlie West, Allottee No. 79, deceased; County Treasurer of Osage County Oklahoma; and the United States of America</p>		<p>For plaintiff:</p> <p>Thomas N. Keltner - James Payne Chief of Legal Division Department of Highways Jim Thorpe Building Oklahoma City, Oklahoma 73105 - 521-2681 - Okla City</p> <p>For defendant:</p> <p>Nathan G. Graham Robert P. Santee</p> <p><i>def to be private counsel</i></p>						
STATISTICAL RECORD	COSTS			DATE	NAME OR RECEIPT NO.	REC.	DISB.	
J.S. 5 mailed 11-1-71	Clerk			1971 10-12 10-13	Payne CD 18	15000	15	00
J.S. 6 mailed 7-1-72	Marshal							
Basis of Action: Highway	Docket fee							
Right of way	Witness fees							
Action arose at:	Depositions							

DATE	PROCEEDINGS	Date Order or Judgment Noted
10-12-71	Complaint filed.	
10-19-71	Notice to defendants with proof of service and affidavit in lieu of mailing, filed. ds	
10-19-71	Affidavit to obtain service by publication, filed. ds	
10-20-71	Case set for hearing on application of appt. of comm on Wednesday, Oct. 27, 1971 at 1:30 pm. (AEB-J)h	
10-27-71	Hearing held. Order appointing commissioners signed in open court. Court appoints Frank Lewis, Eddie King and Evelyn Baker. (AEB-J)h	
11-11-71	Oath of office of Commissioners, filed. g	
11-11-71	Report of Commissioners, filed. (notice mailed)g	
11-29-71	Statement of costs, filed. g	
11-29-71	Order fixing Commissioners' fees, filed. (AEB-J)g	
12-10-71	Exception to commission's report and demand for jury trial, filed. (of defts. Harold West, Sr. and Celestia Mae West)m	
3-14-72	Ordered that Magistrate conduct hearing on exception to commission's report. (AEB-J)hm	
3-14-72	Case called for hearing on exception to commission's report. Pltf. counsel not present. U.S. Attorney present. Exception to report denied & deft. to prepare recommendation & order within 5 days. (MLB-Mag)hm	
4-3-72	Recommendation of Magistrate that the exception to commissioner's report filed on 12-10-71, should be overruled and denied. (MLB-Mag.)v	
4-3-72	Ordered by the Court parties have 10 days within which to object to above recommendation, if no objections, Court will enter order adopting the recommendation, filed. (AEB-J)v -rec. & order mailed to parties.	
4-17-72	Order filed. Ordered that the Exception to Comm's Report filed by the defts. Harold West, Sr. and Celestia Mae West, be hereby overruled and denied. (AEB-J) filed. r (copies mailed to attys and above defts)	
4-19-72	Motion of Nat Graham and Robert P. Santee to withdraw as counsel for defts. Harold and Celestia West, filed. rm - order to J.	
4-24-72	Case set for jury trial for Monday 5/22/72 at 9:30 a.m. (AEB-J) rm	
5-8-72	Journal Entry of Judgment, filed and entered. Ordered that defts. have and recover judgment from plt. in sum of \$2,000.00; there is on deposit \$1000 with Clerk, and Clerk ordered to pay such sum to defts. (AEB-J)rm - copies mailed by DA's office	
6-6-62	Application for disbursal of funds, filed. g <i>about 6/6/72</i>	
6-8-72	Order of disbursal, filed, that Clerk disburse from Registry of Court the sum of \$2,000.00 to Harold West, Sr., and Celestia Mae West. (AEB-J)hm (copies mailed)	